

LAKE COUNTY PLANNING BOARD
December 11, 2019
Lake County Courthouse, Large Conference Room (Rm 316)
Meeting Minutes

MEMBERS PRESENT: Steve Rosso, John Fleming, Lee Perrin, Janet Camel, Abigail Feiler, David Passieri, Frank Mutch (phone), Sigurd Jensen (7:01), Rick Cothorn (7:01)

STAFF PRESENT: Jacob Feistner, Tiffani Murphy, Lita Fonda

Steve Rosso called the meeting to order at 7:00pm.

JONES/ ROMAN PINE GLEN LOTS C & D SUBSEQUENT MINOR (7 pm)

Tiffani Murphy presented the staff report. (See attachments to minutes in the December 2019 meeting file for staff report.)

Lee noted a lot was going on and asked why the applicants were subdividing. It seemed like a lot of headache. Jacob replied that agent Jack Duffey might clarify as to the motive. From the planners' perspective, it helped to clean up things.

Janet was concerned with the density evaluation. It was set up as 1 per 10 in this particular area because the aquifer was highly vulnerable through that area, from the NE to the SW side of Pablo, with porous soils. The cumulative effects of the additional drainfields could be a problem. She wanted people to be aware of that and consider it in the future. Studies had not been done. Most of these buildings were already in place. The shop lot would need additional sewage treatment if it was going to be [inaudible].

Jacob appreciated the input. Because it had community development [designation] on two sides, a 3.5 or 4-acre density seemed like a transition from community development to 10-acre density. Janet explained the community development area was designed to be within a quarter-mile of the sewer district boundary so it wasn't as expensive to bring in a sewer line. The community development area would be fine as long as people were hooking up to the sewer system. The 1 per 10 was a transition zone between the community development zone and the 1 per 20. She could see Jacob's point. They didn't go with the 1 per 5 that was initially proposed here because of the aquifer vulnerability issue.

Steve asked to look more broadly at the density map in that area. The community development area appeared to extend east past this area, farther from Pablo than these lots. Janet repeated this was supposed to be ¼ mile wider than the sewer district. Community growth didn't appear to be on two sides of the property. Jacob observed it was one lot away from the community growth on one side. Steve noted it was adjacent on the south, with community growth farther to the east. The densities and sewer district location were discussed further.

Janet asked why the intersection with the cul de sac and the road and utility easement was only 20 feet wide. Someone mentioned it was platted. Tiffani clarified it didn't actually exist. Janet described the location of the intersection of 2 easements. Jack Duffey thought one condition was

that this became 60 feet as opposed to 40 feet. The 50-foot radius of the cul de sac was also a condition of approval.

Agent Jack Duffey thanked Tiffani for her help. He asked about the condition with the construction of the cul de sac that required inspection. Who would do this? Jacob clarified an engineer would certify that it was built to standards. That should be clarified in the condition. The planners would verify that it was done and share that information with Jay Garrick (road supervisor).

Public comment opened: None offered. *Public comment closed.*

Steve thought they might look at broadening the requirements for utilities from power and telephone to possibly power and broadband. Did the subdivision regulations specify telephones or communication? They might want to look at this in the future. Requiring mailboxes might be similar, with usage of PO boxes. Jacob explained a mail plan approved by the postmaster was required, so it could be either way. He read the condition. Tiffani supplied that the post office submitted comment that they wanted to see the mail boxes in front of the subdivision. Steve thought condition #20 on pg. 24 could specify a mail plan. Jacob liked to leave it general so the applicant could work with the post office. Janet mentioned that some people couldn't afford PO boxes.

- Steve and Jacob, pg. 24 condition #20: Change to 'An address shall be acquired for Lot D1, and a mail plan approved by the postmaster for all 3 lots prior to filing the final plat.'
- Janet and Steve, pg. 16, next-to-last line and pg. 17, first line: Change 'phone' to 'communication'.
- Steve, pg. 22, #6 and #7: Change 'telephone utilities' to 'communications utilities' in 3 places.

Steve asked if wildlife-friendly fencing needed to be mentioned in VIII.1, pg. 18. Jacob explained the subdivision regulations required compliance with the appropriate state law for fencing. He read the section. Tiffani noted they received comment from CS&KT that this was not prime wildlife habitat.

Jack described that the current commercial use was small engine repair. Tiffani said the surrounding area of Pablo had other commercial businesses. Steve asked if this became a home occupation if it was remodeled to include an apartment. Jacob said those were discussed in zoning but not subdivision. He thought that was a miss in the regulations. Steve asked further about having commercial and residential on the same lot. Jacob thought it would be more beneficial to call it commercial in this case, and allow residential, than the other way around. Previously someone was running a home occupation.

Lee asked about commercial approval. Tiffani responded if the applicant wasn't going through this process, he could bring it to the commissioners as a subdivision amendment. Jacob said if he got approval as a commercial lot through this process, then he'd be legal in this respect. Lee noted one lot would gain additional area. Jack mentioned that the two owners were related. His understanding was its owner wanted to live on D2, at the shop.

Janet asked about provisions to protect groundwater from potential spills at the shop. She gave the example that [the Tribes] tried to require that the work be done on a slab for those types of businesses. Jack knew the interior was a slab. Tiffani thought the commercial with DEQ (Department of Environmental Quality) had to go through a more strenuous review for septic, water and stormwater.

Steve suggested changes.

- Pg. 15, I.a, last line: Add 'to' after 'required'.
- Pg. 15, II, 5th line: Change 'density it' to 'density is'.
- Pg. 15, next to last line: Add 'and the property is adjacent to the community growth area'.
- Pg. 19, XII, first line: Add 'parcels' between 'proposed' and 'currently'.
- Pg. 20, next to last line: Change 'construed' to 'constructed'.
- Pg. 21, item b: 3rd line of italicized section: Add 'location and surrounding property ownership' after 'attributed to the property'.

Steve asked for clarification on pg. 21, item b, in the vicinity of the 5th line of the 2nd paragraph. Tiffani explained the road couldn't be longer than 1500 feet and end in a turnaround per the regulations. Jacob supplied it had to have a second access.

- Steve, pg. 21, item b: 2nd paragraph, 5th line: Add 'and surrounding property ownership' after 'position'.

Tiffani described that [the turnaround] would have to be at the very end. Based on attachment 3, Steve asked where the road split to go to the buildings on D2 and C1. Tiffani clarified that this was not built to the subdivision standards. Tiffani confirmed for Steve that the variances didn't affect the width of the turnaround. Steve asked if something needed to be added there. Jacob thought if it was platted to allow for enough area [it would work]. The driving surface was packed gravel, but what was [the surface] off of that? Would a fire truck get stuck turning around in the spring if it drove off of the driving surface? Steve pointed to the related condition of approval. Jacob and Steve agreed that the location worked. Jacob said they needed to further clarify whether the existing hard surface could be used or if it needed to be excavated and rebuilt to standards. The turnaround was supposed to be at the end of the road.

- Jacob, Janet and Steve, pg. 21, item b, 3rd paragraph: Replace 'north side of proposed lots C1 and D1' with 'the south end of the extension of Pine Tree Lane'.
- Steve, pg. 23, #11: Add 'at the south end of the extension of Pine Tree Ln' after 'turnaround'. Also add 'certified by a licensed engineer,' after 'subdivision regulations'.

Frank asked for clarification on any existing overhead utilities, referring to pg. 15, I.i. Utilities companies usually installed underground to the customer's point of service. He referred also to pg. 22, #6. It could be simplified throughout the staff report by saying 'all utilities shall be underground'. Would the owners' utilities have to be underground too, such as power from one building to another? Covenants would probably cover that. He didn't think the county could require that. Jacob said the subdivision section of X.W referenced in #6, pg. 22, had 9 parts. He

read relevant portions of the section, including #3 which said utilities must be placed underground wherever practical.

- Frank, pg. 22, #6: Remove ‘power and communication’ (just recently changed from ‘power and telephone’).

Frank returned to pg. 15, I.i and what was required by the lot owner as far as underground or overhead utilities. He said the developer worked to provide power to each lot. When the house was located, the power company then extended power to the house.

Pg. 15, I.i:

- Jacob: Replace ‘Lot owners are’ with ‘The subdivider is’.
 - Add ‘in accordance with X.W of the subdivision regulations’ at the end.
- Lee: Add ‘new’ between ‘all’ and ‘utilities’.
- Steve: Change ‘telephone’ to ‘communication’.
- (Final product for I.i: The subdivider is required to install all new utilities, including communication, underground to the edge of all lots in accordance with section X.W of the subdivision regulations.)

Motion made by Steve Rosso, and seconded by David Passieri, to recommend approval with changes in the findings of facts and conditions, and the staff report. Motion carried, 8 in favor (Steve Rosso, John Fleming, Lee Perrin, Abigail Feiler, David Passieri, Frank Mutch, Sigurd, Jensen, Rick Cothorn) and one opposed (Janet Camel).

MINUTES—September 11, 2019 (8:04 pm)

Steve offered the following corrections:

- Pg. 4, 6th full paragraph, last sentence: Change ‘Steve thought the paragraph needed’ to ‘Steve thought that printing the paragraph on the plat needed’.
- Pg. 5:
 - 2nd full paragraph, 6th line: Change ‘idea of whether’ to ‘idea of where’.
 - 3rd full paragraph, 9th line: Add a period between ‘things’ and ‘Jacob’.
 - Last paragraph, 5th line: Change ‘look like’ to ‘looked like’.
- Pg. 9, 1st paragraph, last full line: Change ‘[inaudible]’ to ‘[easement]’.

Motion by Rick Cothorn, and seconded by Janet Camel, to approve the Sept. 11, 2019 meeting minutes as amended. Motion carried, 7 in favor (Steve Rosso, John Fleming, Sigurd Jensen, Rick Cothorn, Janet Camel, Abigail Feiler, David Passieri), 2 abstained (Lee Perrin and Frank Mutch).

OTHER BUSINESS

None.

Steve Rosso, chair, adjourned the meeting at 8:07 pm.